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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,542	03/20/2001	Kiyotaka Okawa	8279.310US01	2559
7590	08/12/2004			EXAMINER KLINGER, SCOTT M
Merchant, Gould, Smith, Edell, Welter & Schmidt 3100 Norwest Center 90 South Seventh Street Minneapolis, MN 55402-4131			ART UNIT 2153	PAPER NUMBER DATE MAILED: 08/12/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/812,542	OKAWA ET AL. 
Examiner	Art Unit	
Scott M. Klinger	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 20 March 2001.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-5 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-5 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____

DETAILED ACTION

Claims 1-5 are pending.

Priority

A claim for foreign priority has been made. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file. The effective filing date for subject matter in the application is 22 March 2000.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thackston (U.S. Patent Number 6,295,513, hereinafter "Thackston") in view of Saucedo et al. (U.S. Patent Number 5,754,738, hereinafter "Saucedo").

In referring to claim 1, Thackston discloses a network-based system for the manufacture of parts with a virtual collaborative environment for design, development, and fabricator selection. Thackston shows substantial features of the claimed invention, including:

- Figure data storage means for storing figure data on a whole including an object of retrieval and for transmitting the figure data to the client in response to an instruction from the client:

"It is another object of the present invention to provide such a network-based system whereby a central server maintains engineering data, such as design

documents and three dimensional model data, in a common, neutral format, which is accessible by authorized team members through a graphical user interface that is substantially platform independent to reduce or eliminate the necessity for specialized hardware and software.” (Thackston, col. 3, line 64 – col. 4, line 4)

- Parts information storage means for storing parts information:
Thackston, Fig. 2 shows database 210, where the parts information is stored
- Figure information storage means for storing figure information including coordinate data with respect to the figure data:
Thackston, Fig. 2 shows database 210, where the parts information is stored; a system that stores CAD model data inherently implies coordinate data
- The client comprises a general-purpose web browser for showing the parts information and the figure data:

“Prime contractor user systems 220 may comprise computers running standard operating systems and supporting “browser” technologies for accessing and displaying data over a common network, such as personal computers with Windows NT™ and Microsoft Internet Explorer™ 5.0 or Netscape Communicator™ 4.06, an Apple Macintosh™ running MOSAIC™ web browser software, a Sun SPARCstation™ running UNIX and Netscape Communicator™, and a Silicon Graphics™ UNIX-based workstation such as the SGI Octane™ running Netscape Communicator™.” (Thackston, col. 9, lines 53-62)

However, Thackston does not discuss the display of the parts in great detail. Thackston does not explicitly show linking the parts information and the figure information to each other bidirectionally or showing the parts list and figure information simultaneously. Nonetheless this feature is well known in the art and would have been an obvious implementation of the system disclosed by Thackston as evidenced by Saucedo.

In analogous art, Saucedo discloses a computerized prototyping system employing virtual system design environment. Saucedo shows linking the parts information and the figure information to each other bidirectionally or showing the parts list and figure information simultaneously: Saucedo, Fig. 25 is an illustration shown the example of an

interface of the design browser; The model, component files (parts), and a hierarchical graph (of how the parts are linked) are displayed simultaneously.

Given these teachings, a person of ordinary skill in the art would have readily recognized the desirability and advantages of implementing the system of Thackston so as to link the parts information and the figure information to each other bidirectionally and show the parts list with the figure information simultaneously, such as taught by Saucedo, in order to provide a view of the overall system while a specific part is edited.

In referring to claim 2, Thackston in view of Saucedo shows,

- The mark-up language is Extensible Mark-up Language (XML):

"In one embodiment, prime contractor user system 220 comprises a personal computer or workstation running a standard operating system such as Windows NT, and using a standard browser such as Microsoft Internet Explorer™ 5.0 capable of interpreting HTML 4.0, XML, VRML, and running Java™ applets"

(Thackston, col. 10, line 5-10)

In referring to claim 3, Thackston in view of Saucedo shows,

- The figure data are image data, which do not have attribute of coordinates:

Thackston, Fig. 12 shows that some of the figure data can comprise drawing symbols 1206, which do not have coordinate data

In referring to claim 4, Thackston in view of Saucedo shows,

- When a retriever selects one of the objects of retrieval which are shown on the general-purpose web browser, the one changes visually on the general-purpose web browser:

"The graphics capability allows a prime contractor and prospective fabricator to view the three-dimensional part design, including the execution of various manipulations, such as virtual rotations and translations, pan, zoom and 'fly throughs. '" (Thackston, col. 5, line 64 – col. 6, line 1)

In referring to claim 5, Thackston in view of Saucedo shows,

- External output means for allowing a retriever to take out a result of the retrieval and to make use of the result:

"Stored standard contracts data module 696 may comprise a series of contract "templates" for prime contractors and suppliers to use as a starting point for creating an agreement. For example, in one embodiment there is a standard form agreement for a fabricator to produce a quantity of prototypes of a design within some time-frame." (Thackston, col. 13, line 11-16)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Klinger whose telephone number is (703) 305-8285. The examiner can normally be reached on M-F 7:00am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott M. Klinger
Examiner
Art Unit 2153

smk



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